

# Five Socialists Accused of Treason; Disloyalty by Littleton; Four Motions Made by the Defense Are Overruled

## I. R. T. Paid Dividend of 17% in 1918

Stockholders Received \$1,500,000 More Than Company's Net Income, Estimate Board Is Told

## \$1,500,000 Stock Given to Belmont

## 187 P. C. Paid on Stock in 16 Years; Equipment Schedule Never Filed

The Interborough Rapid Transit Company paid out more than \$6,000,000 in dividends in 1918, although its net income for that period was \$1,500,000 less, according to testimony brought out yesterday when the traction investigation of the Board of Estimate got in full swing with the examination of its first witnesses.

Mayor Hylan presided at the two sessions held during the day at the City Hall. Testimony given by Interborough officials, or elicited on cross-examination conducted by Corporation Counsel Burr for the city, was to the effect that:

August Belmont received \$1,500,000 in Interborough stock for promoting the organization of the company.

Chief among Mr. Belmont's "services" was the acquisition of the City Island monorial franchise, which was never utilized, and was finally sold for \$27,000.

The Interborough never has filed a schedule of its equipment, as required by its contract with the city.

The present investment of the Interborough company in the original subway and its extensions amounts to \$77,414,182.

An Interborough surplus fund of \$20,000,000 was used in electrifying and third-tracking the elevated system and in subsidizing the New York and Queens County Railway line, which has been on the verge of insolvency.

Equipment Schedule Never Filed

The council chamber at the City Hall had been changed to resemble a courtroom when the proceedings got under way, at 10:30 o'clock. Tables had been placed at the front of the room for Corporation Counsel Burr and his assistants and for James L. Quackenbush, Interborough attorney, and a large squad of lawyers, accountants and officials from 165 Broadway. A chair at the end of the semi-circle used by the board members was set aside as a witness chair, and stenographers were installed nearby.

Mr. Burr opened the inquiry by stating the purpose of the hearings, and called upon William J. Fullam, assistant counsel to the Rapid Transit Commissioner, to take the stand and deliver copies of the original subway contract. After reading the section referring to the filing of schedules of equipment every six months, Mr. Burr asked: "Has any such schedule been filed?"

"No, I have examined the records; not to my knowledge," replied the witness.

"So that this section has never been complied with?" the Corporation Counsel asked.

"No," replied Mr. Fullam.

Auditor Tells of Financing

Edward F. J. Gaynor, auditor for the Interborough, who was on the stand at both morning and afternoon sessions, was then called. He said that he had a complete list of the subway construction contracts, amounting to \$100,000,000, comprising between 30,000 and 40,000 relating to construction and 140,000 to equipment.

Mr. Gaynor testified that the equipment account of the Interborough company showed from December 31, 1908, to November 30, 1919, the total sum of \$3,045,983 under contract No. 1 and \$1,200,000 under contract No. 2.

Mr. Gaynor was asked to describe the relations between John B. McDonald, the subway contractor, the Rapid Transit Construction Company and the Interborough. He said the construction company was formed with a capitalization of \$8,000,000, to carry out the project of Mr. McDonald, who was not financially capable of doing it alone.

"Who were the people associated with Mr. McDonald?" asked Mr. Burr.

"August Belmont, Cornelius Vanderbilt, G. H. Holden, Andrew Freedman, William A. T. Dean and George W. Young," the witness said.

\$1,500,000 to Belmont

Under cross-examination Mr. Gaynor stated that \$1,500,000 in stock of the Interborough had been issued to Mr. Belmont for his services in organizing the company. F. H. La Guardia, President of the Board of Aldermen, who had been following the proceedings, suddenly caused a ripple of laughter when he asked:

"Is this man Belmont alive?"

"Very much so," Mr. Quackenbush replied. "I spoke to him yesterday, and he will be glad to appear here any time you wish."

"I should say we would like to hear him," Mr. La Guardia said.

Mr. Gaynor testified that when Mr. McDonald turned over his interest in the subway contract to the financiers he received \$2,500,000.

He also received a 25 per cent interest, and later got 6 3/4 per cent, in addition to a \$125,000 yearly salary, for the rest of his life.

20 Per Cent Dividend in One Year

Mayor Hylan, Mr. La Guardia and Mr. Burr all took a hand at this point in bringing out the high dividends paid by the Interborough in the past.

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## Navy Short a Disbursing Officer and \$75,000

Lieutenant Bennet, Missing Since December 22, Had Been in Bad Health

WASHINGTON, Jan. 21.—Following the disappearance of Lieutenant C. P. Bennet, of the navy's disbursing office here, in December, 1919, a shortage of \$75,000 in the accounts of the Navy Department has been revealed, Secretary Daniels announced today.

Bennet's home address was Portsmouth, Va. He was granted a ten days' leave of absence on December 22 and has not returned.

Lieutenant Bennet's cash was verified by a commissioned officer of the general inspectors' force on the first day of October. "It is evident," the announcement continues, "that if the Treasury Department eventually finds the deficit to be actual, the same must have occurred from October 1, 1919, and December 22, 1919, on which day Lieutenant Bennet went on ten days' leave."

"When some days had elapsed after the expiration of his leave and he neither returned nor communicated with the Navy Department, the office of naval intelligence was requested to try to find him. Up to this time they have not succeeded in doing so."

"Prior to his disappearance Lieutenant Bennet had been in bad health and had been receiving constant treatment by the naval medical officers for a number of months, in consequence of which fact it was thought for a few days after he failed to return on time that he probably had been taken ill somewhere and therefore was unable to communicate with Washington."

Divers to Seek Treasure in Sunken Lusitania

Experts Believe Baggage Can Be Reached and \$1,000,000 Recovered

LONDON, Jan. 21.—Efforts to recover some of the treasure from the ill-fated Lusitania will be made early this year. Engineers and divers who have been prospecting about the sunken vessel believe that they can recover much of value from the Lusitania, but it will be impossible, according to experts, to raise the liner or any of her cargo, owing to the great depth of the water in which she is lying.

Plans for recovering the Lusitania's treasure were locally discussed in the winter after her sinking off the Old Head of Kinsale. It was then believed she was lying in about 270 to 300 feet of water, but later estimates have placed the depth at a greater figure. There was some hope at that time of raising the vessel, or at least a part of her valuable metal cargo, but this project evidently has been abandoned.

It is believed, however, that the hold in which the passengers' baggage is stored can be easily reached, and that it will yield at least \$1,000,000 or more.

If it is found that the vessel is upright it will be fairly easy to retrieve the contents of the strong room, which is near the purser's office on one of the upper decks.

One insurance firm whose name has been persistently mentioned with the Lusitania is the Intercean Submarine Engineering Company, of which Rear Admiral Ruby M. Chester, U. S. N., retired, is president.

Girl in Aviator's Garb Held as Jeanne De Kay

Prisoner First Says She Is Missing Heiress, Then Retracts Her Statement

ATLANTA, Jan. 21.—Dressed in the masculine uniform of an aviator, a young woman is being held at a police station here to-night, while the police, frankly puzzled, seek to determine whether she is Jeanne Anna De Kay, missing protegee of Jane Addams, of Hull House, Chicago.

The girl, in appearance, corresponds to press descriptions of Miss De Kay, except that her hair is bobbed and she has a tattoo on her arm.

Under questioning to-day, the police said that she first declared she "knew" Miss De Kay, and then said she was Miss De Kay, but tonight denied it.

Newspaper men who talked with her told the same story. She first gave her name as Jeanne De Kay and described herself as the Belgian widow of a French soldier.

CHICAGO, Jan. 21.—The description of the woman who is being held by the police at Atlanta, Ga., does not correspond with that of Jeanne Anna De Kay, it was said to-night at Hull House.

Asquith Out for Parliament

Paisley Liberals Adopt Former Premier as Candidate

LONDON, Jan. 21.—Herbert H. Asquith, former Premier, acted to-night to Parliament through the by-election in the Paisley constituency arising out of the death of Sir J. McCallum. The local Liberal adopted Mr. Asquith as their candidate to-night.

There already is a Labor candidate, J. M. Bigger, in the field, and as the coalitionists previously had decided not to contest the seat if Mr. Asquith were selected, there is likely to be a straight fight between the Liberal and Labor candidates, unless, as is considered improbable, the Unionists run a candidate.

Austrian General Jobs

In Rush for Job as Porter

BERLIN, Jan. 21.—The plight of retired Austrian officers is illustrated by an incident reported from a fashionable suburb of Vienna. A house owner was in search of a porter and made his want known to the Officers' League. Among the applicants who responded for the position were a major general, three colonels, two lieutenant colonels, seven majors and eighteen captains.

## Powhatan's Peril Grows; 271 on Board

Shipping Circles Worried Over Reports of Weather Conditions Menacing Leaky Transport

Tow Craft Stands By for Rescues

Endangered Ship Is 200 Miles Off Halifax as a Sudden Halt Occurs

A brief radio flashed into Halifax last night from the Canadian government steamship Lady Laurier spread anxiety up and down the Atlantic coast for the safety of the leaking United States army transport Powhatan and her 271 passengers. The message said weather conditions were bad and that the Lady Laurier was alongside the Powhatan. Earlier the Laurier had reported that she was towing the crippled transport.

The ships at the time the radio was received were about 200 miles off Halifax, the Powhatan leaning near the engine-room because of a plate sprung in heavy seas. Other wireless messages received earlier in the day had created a feeling that the transport was in no danger. A donkey engine was supplying the heat and light that had been absent during several of the days the vessel has been disabled and storm-tossed.

The Lady Laurier, in charge of Captain C. A. Travis, one of the most experienced mariners in rescue work on the Canadian coast, reached the Powhatan at 2 o'clock yesterday afternoon and immediately prepared in spite of the rough seas to take the latter in tow. Yesterday afternoon the destroyer Sharkey, which with the destroyer Leary and the transport Northern Pacific, is standing by the Powhatan, reported that the weather was growing worse. Early yesterday morning the Powhatan was towed by the Northern Pacific, but later estimates have placed the depth at a greater figure. There was some hope at that time of raising the vessel, or at least a part of her valuable metal cargo, but this project evidently has been abandoned.

It is believed, however, that the hold in which the passengers' baggage is stored can be easily reached, and that it will yield at least \$1,000,000 or more.

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## Ex-Kaiser Helps To Repair Dikes

AMERONGEN, Holland, Jan. 21 (By The Associated Press).—While the diplomats of the Great Powers are occupying themselves with a demand for his surrender for trial, former Emperor William of Germany, as far as those outside Bentinck Castle can learn, remains unperturbed.

To-day water from the swollen Rhine is overflowing a part of the Bentinck estate, but the castle itself is not flooded. The one-time Emperor is working hard daily with the laborers strengthening the dikes, and there is no sign apparent whatever that he intends either to return to Germany or to surrender voluntarily to the Allies.

Mrs. Thomas Is Sued for Million By Mrs. Shonts

Other Woman Enticed Her Husband to Desert Her, Charge Made in Action for Alleged Alienation

The long expected complaint in the suit brought by Mrs. Milla D. Shonts, widow of Theodore P. Shonts, former president of the Interborough Rapid Transit Company, against Mrs. Amanda C. Thomas, principal beneficiary under the will of Mr. Shonts, was filed in the Supreme Court yesterday. It charges that Mrs. Thomas alienated the affection of Mr. Shonts from his wife and deprived Mrs. Shonts of his companionship, protection and support, for which the widow of the traction man demands \$1,000,000 damages.

It was six weeks ago that Mrs. Shonts caused the service and filing of the summons in this action, but the nature of the suit has been carefully concealed until now, the filing of the complaint being the first official announcement of its character.

Practically all of the charges of Mrs. Shonts against the woman who she alleges came between her and her late husband are stated on information and belief, but they are none the less bitter. According to Mrs. Shonts, the efforts of Mrs. Thomas "to willfully, wickedly and maliciously gain the affection of Mr. Shonts" from the plaintiff began in 1906, and finally in 1910 the defendant succeeded in "enticing" the railroad president to desert his wife absolutely, "to leave her without adequate support and deprive her of his society."

"Alienated His Love"

In bringing this about Mrs. Thomas is charged with having "prevailed ruthlessly" upon Mr. Shonts, and by her "artificial and malicious" means alienated his love and affection from Mrs. Shonts.

Mrs. Shonts says in her complaint that she and Mr. Shonts were married in 1881 in Centerville, Iowa. Although they lived together until 1910, it was four years earlier that Mrs. Thomas, who had obtained a divorce from Herbert P. Thomas, son of Orlando F. Thomas, came into the life of Mr. Shonts. Their first meeting, it is said, was at a social function where the two were introduced by a daughter of Mr. Shonts.

Even that early in their friendship, Mrs. Shonts alleges, Mrs. Thomas sought to incite herself with the husband of the woman who "has seeks damages from her. Mrs. Shonts says that, having managed to gain the affections of Mr. Shonts, the defendant persuaded him to leave his wife and go with her to various places in the United States and elsewhere.

This relation, says Mrs. Shonts, continued until 1910, when Mrs. Thomas "maliciously enticed" the former Interborough president to abandon his wife altogether.

Lived in Same Building

It is added by the plaintiff that her husband took up his residence in the same building occupied in part by Mrs. Thomas, and that the defendant harbored and detained the plaintiff's husband against the will of the plaintiff.

This situation, says Mrs. Shonts, continued up to the death of her husband in September last, Mr. Shonts becoming estranged from his wife and his affection for her.

Continued on last page

## Police Head Shot Dead on Dublin Street

Assistant Commissioner Redmond Falls While Drawing His Own Pistol on His Assailant

Constable Wounded in Fight in Thurles

Promiscuous Bombardment of Houses Said to Have Followed Crime

DUBLIN, Jan. 21 (By The Associated Press).—Assistant Commissioner of Police Redmond was shot and instantly killed at 6:30 o'clock this evening in Harcourt Street, one of Dublin's main thoroughfares. When assailed, Mr. Redmond endeavored to draw his own pistol, but was unable to do so before he was shot down. He was found gripping his pistol, which was in his pocket.

Mr. Redmond recently was brought to Dublin from Belfast, where he had been a successful constabulary officer, to assist in coordinating the Dublin police and to secure increased efficiency in the detective department, in view of the murder of several policemen, for which no arrests have been made.

The shooting occurred within a few yards of the hotel where Mr. Redmond was stopping. This hotel is almost opposite the recently closed Sinn Fein headquarters. The dead man was forty years old and had made great changes in the Dublin detective department, having placed in it several men from the North of Ireland.

Sinn Fein Officials Call Police Outrages A Spur to Violence

By Frank W. Getty

LONDON, Jan. 21.—The other side of the Irish story came to light in a dramatic manner to-day, when it was learned by the correspondent of "The London Star" that last night's "Sinn Fein outrage" in Thurles County, Tipperary, where a police constable was wounded by unknown persons, had an astonishing sequel, which included what can only be described as military outrages on a considerable scale.

"Police and troops," says "The Star," "appear to have got out of hand and to have indulged in promiscuous firing into houses for more than an hour and a half." According to "The Star," "volleys of bullets poured into doors and windows, and in some instances hand grenades were thrown in. Windows were smashed with rifle butts, doors were battered down, and the townspeople were thrown into a panic of terror."

One account says the home of Charles Cullane, president of the Sinn Fein club, had every pane of glass in the windows on the lower floor smashed, while volleys of bullets from guns in the hands of the military penetrated bedrooms on upper floors. Hand grenades also were thrown into the rooms here, it was said. Cullane was away at the time.

The plant of "The Tipperary Star" was considerably damaged by rifle fire and hand grenades, although no one was in the offices at the time.

Windows Broken by Bullets

On several streets volleys of bullets smashed windows in nearly every house. In several instances bullets are said to have passed over the heads of sleeping children and men and women not connected with the Sinn Fein organization in any way. Inspector Rice, in charge of the local division, finally quelled the disturbance of soldiers and police.

Arthur Griffith, nominal head of the Sinn Fein and acting president of the "Irish republic" in the absence of Eamon de Valera in the United States, sent a message to-day calling attention to the way in which last night's outrages supplemented an interview he had given me for The Tribune.

Sinn Fein Guilt Denied

Last week, in Dublin, I talked with Griffith in a little parlour on the ground floor of a house in St. Stephen's Square. The curtains at the windows were pulled aside so that passersby on the street could look in, but police constables and others passing took no notice of the leader of the Irish Sinn Fein organization.

I asked Griffith to justify, or deny if he could, the hundreds of crimes and outrages recently attributed to the Sinn Fein, which were listed as much to the advantage of the civilized world from the cause of Irish freedom.

"A majority of the crimes on which the spotlight is focused," Griffith said, "are committed by former soldiers or ordinary criminals having no connection with the Sinn Fein, but they are always laid at our door."

"Moreover, when a policeman is shot down by Sinn Feiners it will be found in every case that the policeman had oppressed the people or committed depredations until human nature would not tolerate it longer."

GOOD MORNING: Read Office Help? The country's future Executive read The Tribune—call up Buckman, 200 and give the Good Morning Girl your advertisement for to-morrow's issue. ADAMS

Cox May Be Stronger Than Party

Cox's record as Governor and the fact that he was elected twice after his one defeat in 1914 are pointed out as demonstrating that he is much stronger than his party. His friends say that, although a strong "law and order" man, he has held the friendship

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## Millionaire Socialist Is Indicted With 37 Others as 'Reds' in Chicago

CHICAGO, Jan. 21.—The special grand jury, which has been investigating "Red" activities in Cook County, to-day returned indictments against William Bross Lloyd, millionaire Socialist, and thirty-seven other alleged members of the Communist party. The return was made before Robert E. Crowe, Chief Justice of the Criminal Court.

Others indicted include August Wagaknecht, national executive secretary, and the following members of the national executive committee of the Communist Labor party:

L. E. Katterfeld, Alexander Bilan, Max Bodacht, Edward Lindgren, Jack Carney, John Reed, editor of "The Voice of Labor"; Harry Shipman and I. K. England, of the state executive committee, and Edgar Owens, state secretary. Three of those indicted are women, the most prominent of whom is Margaret Prevey, of Cleveland, who was a delegate to the national convention of the Communist Labor party, held here.

Those named in the indictments are charged with conspiracy to overthrow the government. The indictments are the outgrowth of raids by agents of State's Attorney Maclay Hoyne on New Year's Eve, twenty-four hours before the nation-wide round-up of "Reds" was launched.

Reed, Lloyd, Charles Baker and Mrs. Prevey, the latter two from Cleveland, are the best known of the lot. Lloyd, a millionaire resident of Evanston, is sergeant-at-arms of the Communist Labor party. His indictment is based on newspaper interviews following the "Red" round-up, in which he proclaimed himself as the "reddest of the Red."

Ohio Conceded To Republicans To Delay Before By Democrats

Refusal of Request for Surrender Will Leave Opening for Negotiation, Is the Belief in London

LONDON, Jan. 21.—Holland will not return a definite final refusal to the Allied demand for the extradition of former Emperor William, is the opinion of diplomats here. She is expected to refuse only to accede to the request in its present form, leaving a loophole for negotiations if the Allies press the point.

Basing her objections to complying with the official demand on legal grounds—among them Article 4 of the Dutch constitution, which definitely prohibits such a step as extradition of a foreigner under the existing conditions—Holland will couch her reply in technical terms which will imply that she desires to refuse the Allied demand, but is willing to continue the discussion.

Such a refusal is becoming more and more clearly defined as Holland has an opportunity to learn the real opinion of other countries, and the sentiment seems to be growing that Holland should not be asked to give up the former Kaiser on the following conclusions:

1. England alone of the Allies really desires to try the ex-Kaiser, for "Punish the Kaiser" was one of Lloyd George's campaign cries when the coalition government was struggling for election a year ago in December. Holland has received from any other country official or semi-official intimation of its desire to try to execute the former German emperor.

2. It is believed in Holland that few persons, even in England, now want to go through with the original program. The demand for the Kaiser's trial is being dropped, and the Allies are expected to accept a compromise which would constitute a basis for peace.

3. Holland can point out that the demand for the Kaiser's trial comes from only three countries—France, England and Italy. It was provided in the treaty terms that the Allies should make a formal demand, but so far only those three have done so.

4. The demand comes through a channel which Holland is not technically bound to recognize. It is an unusual demand, coming as it does as an international note without considering the national aspects of the case at all.

Besides considerations of these points Holland will, in her reply, consider the demand as a personal attack on England, when in somewhat similar circumstances years ago Russia was demanding the same kind of accession from England, declared that yielding to the demand would be a national humiliation, and that it was the national honor of Great Britain.

Might Defer to "League"

But if a demand for the extradition of the former emperor should come to Holland through a medium such as the league of nations, representing all nations, it would be a different matter. There then would be found a considerable part of Dutch opinion favoring surrender of the ex-monarch for trial.

THE HAGUE, Jan. 21 (By The Associated Press).—The reply of the Dutch government to the demand of the Allied powers that the former German Emperor should be given up to them for trial is being drafted and will be forwarded some time this week to the Dutch Minister at Paris for communication to the French government.

Although Holland is determined to stick closely to diplomatic precedent and not publish or intimate the text of the reply until it is delivered, there is a high official at the foreign office who has been informed of the demand for the Kaiser's extradition.

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## Accused Men Denounced as Aids of 'Reds'

Prosecutor Says Suspended Legislators Represent Invisible Empire That Seeks U. S. Downfall

Roar of Applause Greets Charges

Stanchfield Urges Right of the Assembly to Set Precedent in Hearing

ALBANY, Jan. 21.—The five Socialist Assemblymen on trial before the Judiciary Committee here were accused to-day by counsel for the committee of being traitors, confederates of Lenin and Trotsky and members of "an alien and invisible empire."

This charge leaped out of the dull debate on the constitutionality of proceedings which occupied most of the day. It was as sudden as a lightning flash and as startling.

It was Martin W. Littleton who flung this challenge in the course of a fiery address on the sacredness of the Constitution of the United States and the alleged machinations of the Socialist party to destroy it.

"Mr. Hillquit said yesterday," he shouted, tossing back his thick, gray hair as he raised his face and clenched fists skyward, "that what is known as treason to-day may be law to-morrow. I tell you gentlemen of the committee that it will be law to-morrow if you let traitors make that law."

Roar of Applause Greets Littleton

For the first time since the trial opened the audience that filled the Assembly chamber broke the discipline imposed by Louis M. Martin, chairman of the committee. There was a scatter of handclapping which grew into a roar of applause through which the vain banging of the chairman's gavel could scarcely be heard. When it died away Mr. Martin warned the spectators that he would have the chamber cleared if it occurred again.

That was the most brilliant moment in a drab day filled with heavy and involved debate on the constitutionality of the trial. All of this argument gained nothing for the Socialists. Four times they appealed to the chair for his ruling, and each time he ruled against them. The motions that he denied were:

A proposal made late yesterday afternoon by Morris Hillquit, chief counsel for the five suspended men, urging that the proceedings be dismissed and that the Judiciary Committee report to the Assembly that there was no warrant for the suspension and trial of the Socialists under the laws and constitution of the State of New York.

Another motion by Gilbert E. Roe, of Socialist counsel, that the committee report back to the Assembly that the suspended five be released during their trial and until adjourned guilty.

A motion by Seymour Steadman, another counsel, that the complaint does not include facts, which, if proved, would constitute a basis for action now progressing against them.

An